

REMARKS

Claims 1-3, 5-14, 16-25, 27-31 and 34-57 were pending in this application when the present Final Office Action was mailed (October 17, 2003). Claims 1, 2, 7, 16, 23, 34-45, 47 and 51-57 have been cancelled without commenting on or conceding the merits of the rejection, and without prejudice to pursuing these claims in a continuation or other application. Claims 3, 5, 6, 8-14, 17-22, 24, 25, 27-31, 46 and 48-50 have been amended. Accordingly, claims 3, 5, 6, 8-14, 17-22, 24, 25, 27-31, 46, and 48-50 are currently pending.

In the Final Office Action mailed October 17, 2003, claims 8 and 22 were indicated to be allowable if rewritten to be in independent form, and the remaining pending claims were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) The disclosure stands objected to because the figures were identified as containing several parts, but the Brief Description did not include a specific description of each part;

(B) Claim 38 stands objected to as depending from a cancelled claim;

(C) Claims 1-3, 5-7, 9-14, 23-25, 27-31, 34-43 and 45-57 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,072,163 to Armstrong et al. ("Armstrong"); and

(D) Claims 8 and 22 stand objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten to be in independent form.

A. Response to the Objection to the Disclosure

The undersigned attorney wishes to thank the Examiner for engaging in a telephone conference on February 19, 2004 during which the objection to the disclosure was discussed. While the undersigned attorney believes that the Brief Description of the Drawings, as filed with the original application, complies with Patent Office

regulations, the applicants submit herewith revised drawings, amended to conform to the Examiner's suggestion made during the February 19 telephone interview. In particular, each page of drawings has been labeled with a figure number and each subpart of any figure having subparts has been labeled with the subpart only and not the figure number. Applicants accordingly request that the objection to the disclosure be withdrawn.

B. Response to the Claim Objection

Claim 38 was objected to as being improperly dependent from a cancelled claim. Claim 38 has been cancelled and accordingly the objection to claim 38 is now moot.

C. Response to the Section 103 Rejections

The remaining pending claims, other than claims 8 and 22 were rejected under 35 U.S.C. § 103 as being unpatentable over Armstrong. Of these claims, claims 1, 2, 7, 16, 23, 34-37, 39-45, 47 and 51-57 have been cancelled. Accordingly, the Section 103 rejections of these claims are now moot.

Of the further remaining claims, claims 3, 5, 6, 9-14, 46 and 48-50 have been rewritten to depend from claim 8, which has been rewritten to be in independent form and which was indicated to be allowable if so rewritten. Accordingly, the Section 103 rejections of these claims should be withdrawn. Claims 17-21 have been amended to depend from claim 22, which has been amended to be in independent form and which was indicated to be allowable if so rewritten. Accordingly, the Section 103 rejections of these claims should also be withdrawn.

Claim 27, which has been amended to be in independent form, includes features generally similar to those of dependent claim 22, indicated to be allowable. In particular, claim 27 includes a first heat sink, a second heat sink spaced apart from the first heat sink and coupled to a supply of cooling fluid, with the first heat sink positioned between the second heat sink and a heat source, and with the first heat sink being movable relative to the second heat sink between a first engaged position with the first

heat sink engaged with the heat source, and a second engaged position with the first heat sink engaged with the second heat sink to cool the first heat sink.

Claim 27, in its current form, does not include the same limitations with regard to the heat source as are included in claim 8 or claim 22. Instead, claim 27 includes a first heat sink having an engaging surface that is compressable between a noncompressed configuration when the heat sink is disengaged from the heat source and a compressed configuration when the [first] heat sink is engaged with the heat source. Armstrong neither discloses nor suggests this feature, although Armstrong is cited as the sole reference on which the Section 103 rejection is based. Furthermore, as discussed in connection with claim 23 (in a response filed with the Patent Office on March 31, 2003), none of the applied references, including U.S. Patent No. 6,073,681 to Getchel et al. ("Getchel") discloses or suggests such a feature. In fact, Getchel teaches away from such an arrangement. In particular, Getchel teaches away from such an arrangement for at least the reason that Getchel's heat source and heat sink are permanently attached to each other, while the heat source and [first] heat sink of claim 27 are movable relative to each other. For at least the foregoing reasons, the Section 103 rejection of claim 27 should be withdrawn.

Claims 24, 25, and 28-31 have been amended to depend from claim 27. Accordingly, the Section 103 rejections of these dependent claims should be withdrawn for the reasons discussed above and for the additional features of these dependent claims.

D. Response to the Indication of Allowable Subject Matter

Claims 8 and 22 were objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten to be in independent form. Claims 8 and 22 have been so amended without narrowing the scope of these claims. Accordingly, the objections to claims 8 and 22 should be withdrawn.

RESPONSE UNDER 37 C.F.R. § 1.116

EXPEDITED PROCEDURE – Art Unit 1742

Attorney Docket No. 291958124US

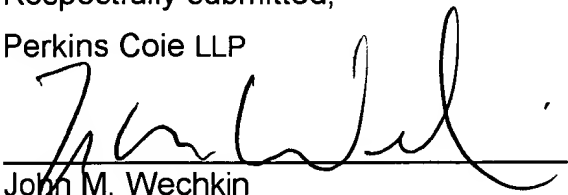
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E. Conclusion

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3257.

Respectfully submitted,

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